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Paper No.

MOTOROLA, INC.
CORPORATE LAW DEPARTMENT - #56-238
3102 NORTH 56TH STREET
PHOENIX AZ 85018

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MAR 08 2004

OFFICE OF PETITIONS

In re Application of :
Harold Rosenstock, Richard Dykiel, :
Michael Leibensperger, and : DECISION ACCORDING STATUS
Nehru Bhandaru : UNDER 37 CFR 1.47(a)
Application No. 10/676,991 :
Filed: September 30, 2003 :
Attorney Docket No. IS01407MCG :
Title: METHOD OF REPLICATING :
DATABASE ELEMENTS IN AN INFINIBAND :
ARCHITECTURE SUBNET :

This is a decision on the petition under 37 CFR § 1.47(a) filed January 20, 2004.

The petition is GRANTED.

The above-identified application was filed on September 30, 2003, with an unexecuted declaration. Harold Rosenstock, Richard Dykiel, Michael Leibensperger, and Nehru Bhandaru were named as joint inventors. Accordingly, on December 22, 2003, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge for its late filing.

In response, rule 47 applicant timely filed the instant petition (and fee); the late surcharge; and a declaration executed by inventors Rosenstock and Bhandaru on behalf of themselves and on behalf of non-signing joint inventors Dykiel and Leibensperger. Rule 47 applicants maintain that status under 37 CFR 1.47 is proper because joint inventors Dykiel and Leibensperger refuse to join in the application for patent.

By declaration of facts of patent attorney Kevin Wills, with supporting documentary evidence, petitioner has shown that an attempt was made to present the application papers to inventor Dykiel but he refused delivery. Further, the declaration shows that the application papers were presented to inventor Leibensperger. The petition includes copies of written refusals from both inventors. The petition includes the last known addresses of both inventors.

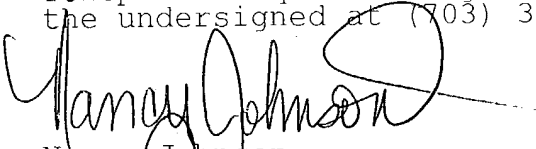
The declaration filed January 20, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The Office of Initial Patent Examination is now being advised of this decision accepting the declaration under § 1.47, and thus, the application is ready for continued pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.


Nancy Johnson
Senior Petitions Attorney
Office of Petitions



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ACTON, MA 01720

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Attorney Docket No. IS01407MCG :
Title: METHOD OF REPLICATING :
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ARCHITECTURE SUBNET :

Dear Mr. Dykiel:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


Nancy Johnson
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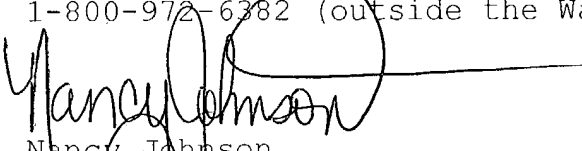
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Attorney Docket No. IS01407MCG :
Title: METHOD OF REPLICATING :
DATABASE ELEMENTS IN AN INFINIBAND :
ARCHITECTURE SUBNET :

Dear Mr. Leibensperger:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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